

HOUSE BILL 3190
By Casada

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 1
and Title 68, Chapter 3, relative to international adoptions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-1-106(c), is amended by adding
the following at the end of that subsection:

Notwithstanding this section or any other provision of the law to the contrary, a decree,
judgment, or final order establishing a parent-child relationship by adoption which is
issued by a court or other governmental authority with appropriate jurisdiction in a
foreign country shall be recognized in this state. Readoption under the laws of this state
of a child so adopted in a foreign country shall not be required. The rights and
obligations of the parties as to matters within the jurisdiction of this state shall be
determined as though the decree, judgment, or final order were issued by a court of this
state.

SECTION 2. Tennessee Code Annotated, Section 36-1-120(f), is amended by adding
the following new subdivision at the end thereof:

(3) Nothing in this section or any other law shall be construed to require the
readoption of a child who has previously been adopted pursuant to the laws of a foreign
country in order for the registrar of the division of vital records to prepare a report of
foreign birth, provided the registrar receives the documentation specified in § 68-3-
310(b).

SECTION 3. Tennessee Code Annotated, Section 68-3-310, is amended by deleting
subdivision (5) thereof in its entirety and by designating the existing language as subsections
(a)(1) – (a)(4), respectively.

SECTION 4. Tennessee Code Annotated, Section 68-3-310, is further amended by adding the following as a new subsection (b):

(b) Report Of Foreign Birth. The state registrar shall prepare a report of foreign birth for a child not born in any state, territory, or possession of the United States whose adoptive parents are residents of Tennessee upon receipt of:

(1) Adoption papers from a court of competent jurisdiction in Tennessee pursuant to § 8-36-120(f), or

(2) A request by the adoptive parents and receipt of all the following documentation:

(A) Authenticated adoption decree in both the foreign language and English translation containing the official signature of the translator;

(B) If the decree does not contain all required fields to establish the certificate of foreign birth then an adoptee's authenticated birth certificate in the foreign language and the English translation containing the official signature of the translator;

(C) Copy of the permanent residence card or passport containing the official stamped I-551 statement of temporary evidence of permanent residence;

(D) Copies of the adoptive parent(s) birth certificates; and

(E) Copies of the adoptive parent(s) drivers' licenses or a notarized statement on letterhead from the licensed adoption agency or certified adoption investigator that establishes parental residency.

(3) The department shall prescribe and collect the fee for processing and registering the birth pursuant to subdivision (b)(2). Fees collected under this subdivision by the state registrar shall be deposited in the general fund of this state, according to the prevailing procedures governing collection.

SECTION 5. This act shall take effect on January 1, 2005, the public welfare requiring it